

**CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
January 13, 2017**

PRESENT: Subhadeep Barman, Alan Bloom, Yvonne Bellay, Doug Englebert, Franklin LaDien (via *GoToMeeting*,) Wendy Pietz (via *GoToMeeting*,) Jason Smith, Timothy Westlake

EXCUSED: Peter Kallio

STAFF: Chad Zadrazil – Managing Director; Andrea Magermans – Deputy Managing Director, Nifty Lynn Dio – Bureau Assistant; Sharon Henes – Administrative Rules Coordinator; and other DSPS Staff

CALL TO ORDER

Doug Englebert called the meeting to order at 9:30 a.m. A quorum of eight (8) members was confirmed.

ADOPTION OF AGENDA

MOTION: Timothy Westlake moved, seconded by Jason Smith, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 15, 2016

Amendments to the Minutes:

- Page 2 of the minutes: correct Butyrl Entanyl to Butyrl fentanyl

MOTION: Timothy Westlake moved, seconded by Yvonne Bellay, to approve the minutes of November 15, 2016 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election Of Officers

Board Chair

NOMINATION: Timothy Westlake nominated Doug Englebert for the Office of Board Chair.

Chad Zadrazil called for nominations three (3) times.

Doug Englebert was elected as Chair by unanimous consent.

Vice Chair

NOMINATION: Yvonne Bellay nominated Alan Bloom for the Office of Vice Chair.

Chad Zadrazil called for nominations three (3) times.

Alan Bloom was elected as Vice Chair by unanimous consent.

Secretary

NOMINATION: Alan Bloom nominated Yvonne Bellay for the Office of Secretary.

Chad Zadrazil called for nominations three (3) times.

Yvonne Bellay was elected as Secretary by unanimous consent.

2017 OFFICER ELECTION RESULTS	
Board Chair	Doug Englebert
Vice Chair	Alan Bloom
Secretary	Yvonne Bellay

Appointment of Liaisons

2017 LIAISON APPOINTMENTS	
SUA Liaison(s)	Alan Bloom, Yvonne Bellay
SCOADA Liaison	Subhadeep Barman
Legislative Liaison	Timothy Westlake Alternate – Doug Englebert
PDMP Liaison	Timothy Westlake Alternate – Wendy Pietz

Delegation of Authority

MOTION: Timothy Westlake moved, seconded by Franklin LaDien, that the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Yvonne Bellay, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

MOTION: Franklin LaDien moved, seconded by Subhadeep Barman, to authorize the Special Use Authorization (SUA) liaison(s) to review and make approval decisions regarding SUA applications and approve required training or credentialing on behalf of the Board. Furthermore, the Board authorizes DSPS staff to sign SUA permits on behalf of the Board. Motion carried unanimously.

MOTION: Alan Bloom moved, seconded by Yvonne Bellay, to delegate authority to the Legislative Liaison(s) to address Board issues related to legislative matters excluding media requests. Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Subhadeep Barman, to authorize the SCAODA liaison to vote on behalf of the Board at the State Council on Alcohol and Other Drug Abuse meetings. Motion carried unanimously.

MOTION: Yvonne Bellay moved, seconded by Alan Bloom, to authorize PDMP Liaisons to make individual decisions on behalf of the Board when waiting for a Board meeting would unreasonably delay the development, testing, deployment, or operation of the PDMP. The Board also grants the PDMP liaison the authority to suspend access to the PDMP pursuant to CSB § 4.09 (3). Motion carried unanimously.

LEGISLATION AND RULE MATTERS

Review and Respond to Clearinghouse Report on Clearinghouse Rule 16-081 Relating to Scheduling of Beta-hydroxythiofentanyl and butyryl fentanyl

MOTION: Timothy Westlake moved, seconded by Subhadeep Barman, to accept remaining Clearinghouse comments for Clearinghouse Rule 16-081 relating to Scheduling of Beta-hydroxythiofentanyl and butyryl fentanyl. Motion carried unanimously.

MOTION: Yvonne Bellay moved, seconded by Alan Bloom, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 16-081 creating CSB 2.41 relating to scheduling of beta-hydroxythiofentanyl and butyryl fentanyl for submission to the Governor's Office and Legislature. Motion carried unanimously.

Draft of CSB 2.43 Relating to Scheduling Brivaracetam

MOTION: Franklin LaDien moved, seconded by Timothy Westlake, to approve the preliminary rule draft of CSB 2.43 relating to Scheduling Brivaracetam for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Draft of CSB 2.44 Relating to Scheduling Thiafentanil

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to approve the preliminary rule draft of CSB 2.44 relating to Scheduling Thiafentanil for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Draft of CSB 2.45 Relating to Scheduling PB-FUBINACA and ABD-PINACA

MOTION: Subhadeep Barman moved, seconded by Jason Smith, to approve the preliminary rule draft of CSB 2.45 relating to Scheduling PB-FUBINACA

and ADB-PINACA for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Scope for Amending CSB 2.49 Relating to Scheduling U-47700

MOTION: Franklin LaDien moved, seconded by Subhadeep Barman, to approve the Scope Statement on CSB 2.49 relating to Scheduling U-47700 for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

Scope for Creating CSB 5 Relating to Pharmacies and Physicians Dispensing Cannabidiol to Patients as Treatment for a Seizure Disorder

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to table discussion and request the Scope be brought to the February meeting. Motion carried unanimously.

Possible Fentanyl Analog Class Structure Legislation

MOTION: Subhadeep Barman moved, seconded by Franklin LaDien, to state that the Controlled Substances Board supports scheduling of 961.14(2)(nd) Fentanyl Analogs. Motion carried unanimously.

**PRESCRIPTION DRUG MONITORING PROGRAM (PDMP) UPDATE – DISCUSSION
AND CONSIDERATION**

MOTION: Alan Bloom moved, seconded by Jason Smith, that the Board and Department recognize that as the WI ePDMP goes live, it may take a reasonable period of time for pharmacies and other dispensers to create protocols to regularly submit complete and accurate data and to correct inaccurate information identified by the WI ePDMP. The Board and Department will use discretion in enforcing compliance with the data submission requirements of the law during this time. Pharmacies and other dispensers that need assistance submitting or correcting data should contact the WI ePDMP Technical Helpdesk at PDMPsupport@egov.com. Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Jason Smith, to request DSPS staff communicate that Wis. Stat. §961.385(2)(cs) requires a practitioner licensed in Wisconsin to review a patient's records under the program before issuing a controlled substance prescription order for the patient. If the practitioner licensed in Wisconsin does not practice in Wisconsin and therefore reasonably believes the patient has no records under the program, the practitioner would not be expected to review the patient's PDMP records before issuing a controlled substance prescription order. Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Alan Bloom, to approve the interstate data sharing requests from Connecticut, Massachusetts, Rhode Island and Virginia pursuant to CSB 4.14 and to authorize the PDMP Liaison to review

and approve future requests for interstate data sharing. Motion carried unanimously.

ANNUAL AND QUARTERLY REPORTS

Quarterly PDMP Report: Wis. Stat. 961.385 (5) and (6)

MOTION: Timothy Westlake moved, seconded by Yvonne Bellay, to designate the Chair to review and approve the Quarterly PDMP Report for submission to DSPS by January 30, 2017. Motion carried unanimously.

EUTHANASIA COURSE REVIEW – DISCUSSION AND CONSIDERATION

MOTION: Yvonne Bellay moved, seconded by Alan Bloom, to approve the Euthanasia by Injection Course with removal of references to Illinois law and Euthanasia of Animals with a Firearm. Motion carried unanimously.

ADJOURNMENT

MOTION: Timothy Westlake moved, seconded by Yvonne Bellay, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:51 a.m.